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ATTORNEY'S DOCKET No.: 2003080-0054 (SK-893-US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Danishefsky *et al.*

Serial No.: 09/641,742

Filed: August 18, 2000

For: *Novel Glycoconjugates, Glycoamino Acids, Intermediates Thereto, and Uses Thereof*

Examiner: Canella, Karen A.

Art Unit: 1642

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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July 18, 2005

Date



Signature

Crystal Slason

Typed or Printed Name of person signing certificate

TRANSMITTAL LETTER

Enclosed please find the following documents:

1. Amendment and Response to Election/Restriction Requirement (23 pages);
2. Check in the amount of \$60.00; and
3. Return Postcard.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully Submitted,
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Date: July 18, 2005

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AMENDMENT AND RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

This Amendment and Response to Election/Restriction Requirement is submitted in response to the Office Action mailed on May 18, 2005 for the above-identified application. Applicants request a one (1) month extension of time, from June 18, 2005 to and including July 18, 2005, to reply to the Office Action. With the extension, the deadline for response to the Office Action is July 18, 2005, and thus Applicants respectfully submit that the filing of this response on July 18, 2005 is timely.

Response to Election/Restriction Requirement begins on page 2 of this paper.

In addition, prior to examination of the above-referenced application, Applicant respectfully requests entry of the following amendments in the above-referenced patent application:

Amendments to the Claims are reflected on page 3 of this paper.

Remarks begin on page 22 of this paper.

This Amendment is believed to be in compliance with the Revised Amendment Format published in the Federal Register on June 30, 2003 (68 FR 38611), and therefore to be exempt from the requirements of 37 C.F.R. § 1.121(a)-(d).

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Applicants elect “Globo-H” as species, with the understanding that the Examiner means to include combinations of Globo-H with other carbohydrate antigens. The glycopeptides of the presently claimed invention are not restricted to those bearing the same carbohydrate antigen across the peptide backbone (e.g., Globo-H). In fact, one important aspect of the invention is that the claimed multiantigenic glycopeptides comprise two or more carbohydrate antigens, which may be different. Accordingly, Applicants make their election on the basis that the Examiner intends to include combinations of carbohydrate antigens with the elected species. Should the Examiner’s Election of Species Requirement be in disagreement with Applicants’ understanding, Applicants hereby withdraw their election and respectfully request that the Examiner reconsider her Election Requirement to be in accordance with what Applicants regard as their claimed invention.

Claims readable on the elected species include claims 56, 58-62, 65-67, 69-76, 78-81, 84-86 and 88-98.

The Examiner points to the sum $x+y+z$, which may be one, and concludes that the claimed multi-antigenic glycopeptides may include a single species, citing claims 118 and 183. No claims numbered 118 or 183 are pending in the application. Accordingly, Applicant assumes that The Examiner meant to refer to claims 56 and 62 instead. To provide a clear record, Applicant respectfully submits that the sum $x+y+z$ being allowed to be one does not imply that the claimed multi-antigenic glycopeptides may include a single species (*i.e.*, a single carbohydrate antigen). Rather, the sum $x+y+z=1$ simply denotes that the bracketed structure $[x,y,z]$, as recited in claims 56 and 62, may be a mono saccharide.